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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,768	09/15/2003	Ramji Srinivasan	005242.000120	7275

22907 7590 07/29/2005

BANNER & WITCOFF  
1001 G STREET N W  
SUITE 1100  
WASHINGTON, DC 20001

EXAMINER
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PEZZUTO, HELEN LEE

ART UNIT	PAPER NUMBER
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1713

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/661,768

Applicant(s)

SRINIVASAN ET AL.

Examiner

Helen L. Pezzuto

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 and 20-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-26 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/6, 3/31, 2004; 2/3, 6/23, 2005
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of Group II, claims 13-19 in the reply filed on 5/13/05 is acknowledged.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 1-12, and 20-26 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 5/13/05.

Claims 13-19 are currently under consideration. Theses claims are currently recited in dependent format. Applicants are encouraged to incorporate the limitations of the claims which claims 13-19 are dependent on, in response to this office action.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the

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art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodrigues (US-241) or Reck et al. (US-464).

US 2004/0082241 A1 to Rodrigues discloses a formaldehyde-free fiberglass non-woven binder composition, comprising a copolymer having both an acid and a hydroxyl moiety. Specifically, prior art copolymer binder is derived from one or more monoethylenically and diethylenically unsaturated acid monomers (Page 1, [0013]), and hydroxyl-group containing ethylenically unsaturated monomer (page 2, [0016]). Other copolymerizable anionic, cationic, and hydrophobic monomers are also taught within the scope of the present claims (page 1, [0015], page 2, [0019]). The instant aqueous solution polymerization mechanism in the presence of a chain transfer agent is further taught on page 2, [0019]-[0020]. Crosslinking monomers and external crosslinking agent such as polyamine is suggested within the context of the instant claim 19.

US 6,114,464 to Reck et al. discloses an aqueous formaldehyde-free binder composition, comprising, inter alia, an addition polymer. Prior art addition polymer comprises recurring units derived from at least one monoethylenically or diethylenically unsaturated acid monomer (col. 14, line 61 to

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col. 15, line 18), and up to 95 wt% of at least one further comonomer (col. 15, lines 19-23). Suitable comonomers are taught within the scope of anionic, cationic and hydrophobic monomers (col. 15, line 24 to col. 16, line 36). Hydroxyalkyl (meth)acrylates, which fall within the scope of the instant unsaturated hydroxyl monomers are taught to be the preferred comonomer by patentees (col. 15, line 58 to col. 16, line 3; lines 30-34). Aqueous free-radical solution polymerization process is expressly taught, and chain transfer agent is further suggested (col. 16, lines 37-65; col. 17, lines 43-55). Crosslinking agents are disclosed (col. 17, line 56 to col. 18, line 7). Prior art binder composition has utility in producing articles from fibrous material, including inorganic and mineral fibers (i.e. glass fibers) (col. 23, lines 1-16).

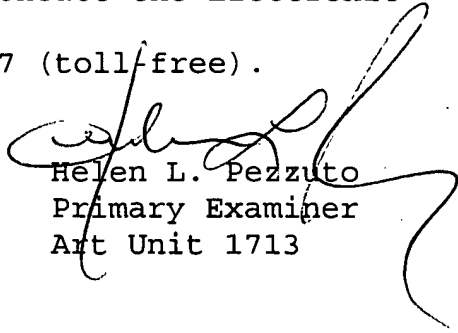
Prior art references discussed contain aqueous binder composition, comprising the instant adduct, having utility in making glass fiber products as presently claimed. Accordingly, it would have been obvious to one skilled in the art to select the suggested monomers and polymerize them in aqueous solution as taught, motivated by the reasonable expectation of success in producing glass fiber products. Thus, rendering obvious the present claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen L. Pezzuto whose telephone number is (571) 272-1108. The examiner can normally be reached on 8 AM to 4 PM, Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Helen L. Pezzuto  
Primary Examiner  
Art Unit 1713

hlp